

Amendment No. 1 to SB1219

Ketron
Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1219*

House Bill No. 1754

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-4-102(24), is amended by adding the following language as a new, appropriately designated subdivision:

() A commercially operated facility containing all of the following characteristics:

(i) Such facility is owned and operated by a for-profit organization organized under the laws of the state of Tennessee;

(ii) Does not discriminate against any patron on the basis of age, race, religion, gender, or national origin;

(iii) Provides food service to the public or for private events and catering with a seating capacity for at least two hundred fifty-eight (258) persons at tables, whether or not such seating is inside or on a deck or patio;

(iv) Is open at least five (5) days a week serving two (2) meals daily with suitable kitchen, dining facilities and equipment;

(v) Is located in any county having a population of not less than three hundred seven thousand eight hundred (307,800) nor more than three hundred seven thousand nine hundred (307,900), according to the 2000 federal census or any subsequent federal census; and

(vi) Is in the center of a full service marina and resort located on the Tennessee River; which full service marina has four hundred seventy-six (476) dry storage slips and wet slips up to eighty feet (80') that offers two (2) cabins completely furnished and an inn with twelve (12) rooms that overlooks the Tennessee River.

SECTION 2. Tennessee Code Annotated, Section 57-4-102(24), is amended by adding the following language as a new, appropriately designated subdivision:

() It is lawful for a commercially operated facility containing all of the following characteristics to serve wine to be consumed on the premises, subject to the further provisions of this chapter other than § 57-4-103:

(i) The facility sits on what is designated as Lot 3R1 which is at least $\frac{3}{4}$ (three-fourths) of an acre in size and on which two (2) structures preside which total between four thousand (4,000) and five thousand (5,000) square feet;

(ii) The facility has on its premises a restaurant, providing food service to the public or for private events, with seating at tables for at least sixty (60) persons; and, such restaurant serves meals at least five days per week with the exception of holidays, vacations and periods of redecorating; and, is currently permitted to serve beer;

(iii) The facility is located within at least three (3) miles of another facility as defined elsewhere in § 57-4-102;

(iv) The facility does not discriminate against any patron on the basis of age, race, religion, gender, or national origin; and

(v) When used in this subdivision, the "facility" under subdivision (i) shall include any location within the property designated by the licensee.

SECTION 3. Tennessee Code Annotated, Section 57-4-102(24), is amended by adding the following language as a new, appropriately designated subdivision:

() It is lawful for a commercially operated facility containing all of the following characteristics to serve wine to be consumed on the premises, subject to the further provisions of this chapter other than § 57-4-103:

(i) The facility sits on what is designated as Lot 1B and/or Tract 1B which is at least one and one-half ($1\frac{1}{2}$) of an acre in size and on which at least one (1) structure presides which is least fifteen hundred (1,500) square feet;

(ii) The facility has on its premises a restaurant, providing food service to the public or for private events, with seating at tables for at least fifty (50) persons; and, such restaurant serves meals at least five (5) days per week with

the exception of holidays, vacations and periods of redecorating; and, is currently permitted to serve beer;

(iii) The facility is located within at least three (3) miles of another facility as defined elsewhere in § 57-4-102;

(iv) The facility does not discriminate against any patron on the basis of age, race, religion, gender, or national origin; and

(v) When used in this subdivision, the “facility” under subdivision (i) shall include any location within the property designated by the licensee.

SECTION 4. Tennessee Code Annotated, Section 57-4-102(24), is amended by adding the following language as a new, appropriately designated subdivision:

() It is lawful for a commercially operated facility containing all of the following characteristics to serve wine to be consumed on the premises, subject to the further provisions of this chapter other than § 57-4-103:

(i) The facility sits on at least three (3) acres, and such property is bordered by US 321, Old Highway 73, Town Square Drive and a commercial shopping center;

(ii) The facility has on its premises at least one (1) restaurant ranging in size from twenty-five hundred (2,500) square feet to seventy-five hundred (7,500) square feet, providing food service to the public or for private events, with seating at tables for at least fifty (50) persons; and, such restaurant serves meals at least five (5) days per week with the exception of holidays, vacations and periods of redecorating;

(iii) The facility is located within at least three (3) miles of another facility as defined elsewhere in § 57-4-102;

(iv) The facility does not discriminate against any patron on the basis of age, race, religion, gender, or national origin; and

(v) When used in this subdivision, the “facility” under subdivision (i) shall include any location within the property designated by the licensee.

SECTION 5. Tennessee Code Annotated, Section 57-4-102(24), is further amended by adding the following language as a new, appropriately designated subdivision:

() A facility operated commercially as a recreational club which contains the following characteristics:

(i) The facility is organized and existing under the laws of the state of Tennessee, which is located in any county having a population of not less than thirty-two thousand four hundred (32,400) nor more than thirty-two thousand five hundred (32,500), according to the 2000 federal census or any subsequent federal census;

(ii) The club facilities are adjacent to a residential development consisting of more than forty (40) residential lots, and the club property and the residential development shall consist of at least one hundred fifty (150) acres;

(iii) The club shall be organized and operated to provide to its members, their guests, and others an eighteen-hole golf course and amenities provided by other similar clubs;

(iv) The club shall have at least one hundred fifty (150) members paying annual dues of not less than six hundred dollars (\$600.00);

(v) The club shall have a clubhouse with not less than four thousand (4,000) square feet including facilities for recreation and special events;

(vi) The club shall not discriminate against any person on the basis of age, race, religion, gender, or national origin;

(vii) The club shall be subject to all laws and regulations of the state of Tennessee including those prohibiting the purchase or possession of alcoholic beverages by persons under twenty-one (21) years of age; and

(viii) The club may not compensate or pay any officer, director, agent or employee any profits from the sale of alcoholic or malt beverages based upon the volume of such beverages sold.

SECTION 6. This act shall take effect upon becoming law, the public welfare requiring it.

